

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY S D.C.
05 OCT 13 AM 10:38
THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TN, JACKSON

UNITED STATES OF AMERICA

vs.

No. 04-10050-001-T

BILLY WAYNE MOORE

ORDER ON MISTRIAL

This cause came on for trial before the court and jury, the Honorable James D. Todd, District Judge, presiding, Assistant U. S. Attorney James W. Powell, representing the government, and the defendant appeared in person and with counsel, Jeff Mueller, Assistant Federal Defender, who was appointed.

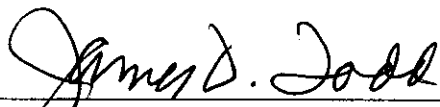
Upon statements of counsel that they were ready for trial upon the plea of not guilty heretofore entered by the defendant, a jury was called, qualified, tried, and sworn to well and truly try the issues therein joined and a true verdict render according to the law and evidence.

After listening to all of the evidence, argument of counsel and charge of the Court, the jury retired to the jury room to deliberate upon its verdict. The jury returned into open Court on October 7, 2005, and announced that they were deadlocked and could not reach a verdict. Therefore, the Court was of the opinion that a mistrial should be declared and that the cause should be reset for hearing.

It is therefore ORDERED AND ADJUDGED that a mistrial be declared in this cause, as the jury was unable to reach a verdict and case set for trial on Monday, October 17, 2005 at 9:30 a.m.

The defendant is remanded to the custody of the United States Marshal.

IT IS SO ORDERED.



JAMES D. TODD
UNITED STATES DISTRICT JUDGE
DATE: 130 October 2005



Notice of Distribution

This notice confirms a copy of the document docketed as number 77 in case 1:04-CR-10050 was distributed by fax, mail, or direct printing on October 14, 2005 to the parties listed.

Jeff Mueller
LAW OFFICES OF JEFF MUELLER
P.O. Box 3146
Jackson, TN 38303

James W. Powell
U.S. ATTORNEY'S OFFICE
109 S. Highland Ave.
Ste. 300
Jackson, TN 38301

Honorable James Todd
US DISTRICT COURT